

# **EXHIBIT Z**

1                               IN THE UNITED STATES DISTRICT COURT

2                               FOR THE WESTERN DISTRICT OF NORTH CAROLINA

3                               ASHEVILLE DIVISION

4                               \_\_\_\_\_

5       CARYN DEVINS STRICKLAND,                )

6                               Plaintiff,                )

7    )

8       -vs-                                )       Case No. 1:20-cv-00066

9    )

10       UNITED STATES, et al.,                )

11                               Defendants.                )

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14 \*\*\* CONFIDENTIAL \*\*\*

15 SUBJECT TO PROTECTIVE ORDER

16 ECF NO. 183

17

18 DEPOSITION OF THE HONORABLE ROGER L. GREGORY

19 10:02 a.m. to 10:54 a.m.

20 May 16, 2023

21 Richmond, Virginia

24	Job No. 49825
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25 | REPORTED BY: Julia A. Bammel, RPR, CSR

1 Deposition of THE HONORABLE ROGER L. GREGORY,  
2 taken and transcribed on behalf of the Plaintiff, by and  
3 before Julia A. Bammel, RPR, CSR, Notary Public in and for  
4 the Commonwealth of Virginia at large, pursuant to the  
5 Federal Rules of Civil Procedure and by Notice to Take  
6 Deposition, commencing at 10:02 a.m., May 16, 2023, at  
7 919 East Main Street, Richmond, Virginia.

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11 APPEARANCES OF COUNSEL:

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24

25 Also Present: Caryn Strickland

1 Q Heather Beam's opinion.

2 A No, I did not, because it wasn't her job to  
3 make the decision, nor was I counseling her -- or sought  
4 counsel from her to help in that decision, so, no, I  
5 didn't.

6 Q So you did not -- you did not direct James  
7 Ishida to request Heather's opinion?

8 A No, I did not.

9 Q Do you have any reason to know why James would  
10 have asked for her opinion?

11 A I don't know. You have to ask him that.

12 Q Okay. I'm going to show you what has  
13 previously been marked as Plaintiff's Exhibit 41 from the  
14 deposition of Ed Smith that was previously taken in this  
15 case. It is US Bates Number 3247, and it is Plaintiff's  
16 Supplement to Mediation Request dated February 22nd, 2019.

17 (A copy of Plaintiff's Exhibit 41 was presented  
18 to the witness for reference.)

19 THE WITNESS: Yeah. I got it. Yeah. Go  
20 ahead.

21 BY MR. STRICKLAND:

22 Q Are you familiar with this e-mail and document?

23 A Yes, I am.

24 Q Does this appear to be an e-mail with  
25 Plaintiff's supplement to her request for mediation?

1 A Yes, it does.

2 Q Does it look like an accurate copy?

3 A It does.

4 Q Is that your name in the cc line on the e-mail?

5 A Yes.

6 Q If Defendants stated in their privilege log,

7 "Contact information for the Circuit Executive and the

8 Chief Judge of the Fourth Circuit redacted," would that

9 seem accurate to you?

10 A Yes.

11 Q Does this e-mail accurately reflect that you  
12 received Plaintiff's supplement to her mediation request on  
13 September 24th, 2019?

14 A Yes. Thereabouts, yes.

15 Q Thank you.

16 Did you consider Plaintiff's February 22nd,  
17 2019, supplement to her mediation request in making your  
18 decision on her -- on Plaintiff's disqualification request?

19 A Yes. That was definitely a part of it.

20 Q To the best of your knowledge, have you  
21 provided all of the reasons for your disqualification  
22 request?

23 MR. KOLSKY: Object to form.

24 MR. STRICKLAND: I'll restate it.

25 BY MR. STRICKLAND: